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B. Webb  
1/8/01

**FACSIMILE COVER SHEET**

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**Date:** December 4, 2000  
**To:** Examiner Bradley Sisson  
Art Unit 1655  
**Fax No.:** 1-703-308-0294  
**From:** Kurt Briscoe  
**Subject:** USSN 09/341,227 (Hansjorg Durr et al.)  
Our Ref: Bayer 10,184-KGB

**Comments:**

You should receive 1 pages including this cover sheet.

Dear Examiner Sisson:

Applicants request that you reconsider and withdraw the finality of the Office Action dated September 22, 2000. Under numbered paragraph 6 of that Office Action, you indicate that the new grounds of rejection were necessitated by Applicants' previous amendment. However, the rejection under numbered paragraphs 4-6, which was applied against claims 18 and 19 would have been fully applicable against original claims 6 and 7, but was not made in the first Office Action dated March 21, 2000. There is nothing in the wording of claims 18 and 19 that necessitated that rejection for the first time where it was not previously applicable against claims 6 and 7. Thus, Applicants' amendment did not, in fact, necessitate this new ground of rejection, and the Office Action should not have been made final. In view of the foregoing, Applicants would appreciate an indication from you that the finality of the Office Action dated September 22, 2000, has been removed.

Respectfully submitted.

Kurt G. Briscoe  
Reg. No. 33,141

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\*\*\* RX REPORT \*\*\*  
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